REMARKS

Claims 1-10 are pending in the application and have been rejected. Claims 1 and 7 have been amended to overcome objections noted by the Examiner.

RESPONSE TO THE REJECTION UNDER 35 U.S.C. 102

Anticipation requires that a single reference teach, expressly or inherently, every claim limitation. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). See MPEP § 2131.01.

Claims 1-3 and 6-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Shiban (U.S. 6,315,960). Claims 1 and 7 recite that the first, second, and third filter media extend from, between and in contact with both the top and bottom end caps. Shiban discloses filters (90, 91 and 92) which surround the core but do not extend from, between and in contact with both the top and bottom end caps. The filters are part of the receptacle 63 which is coupled to component 60. The filters do not extend from, between and in contact with both the top and bottom end caps. Since Shiban does not disclose the filter media extending from, between and in contact with both the top and bottom end caps, it does not anticipate claims 1-3 and 6-9.

RESPONSE TO REJECTION UNDER 35 U.S.C. 103

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). See MPEP 2143.

Claims 4-5 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shiban in view of Carlson et al. (U.S. 6,475,340). The combination of references must teach or

suggest all the claim limitations. Neither Shiban nor Carlson disclose the filter media extending from, between and in contact with both the top and bottom end caps. Carlson discloses a novel pleated media, but pleated media are well-known in the art. Since the combination of Shiban and Carlson does not not disclose or suggest the claimed embodiment, claims 4-5 and 10 are patentable over prior art.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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